

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

-

WRIT PETITION NO : 12160 of 2005

Between:

G. Venkat Ramaiah, S/o. Sri G. Subbaiah,
TGP Sub Division No. 1, Brahmanagari Mattam Mandal, Cuddapah District.

..... PETITIONER

AND

1. The Director General, Anti Corruption Bureau, A.P. Hyderabad.
2. The Engineer-in-Chief (Admn.), Irrigation & CAD department, Erramanzil, Hyderabad.
3. The Govt. of A.P., rep. by its Secretary to Govt., Irrigation Department, A.P. Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a Writ, Order or direction more particularly one in the nature of a writ of Mandamus declaring the action of the first respondent in registering the case in FIR No. 9/RCT/TCD/2005 dt. 30.3.2005 without there being any evidence as arbitrary and illegal and set aside the same.

Counsel for the Petitioner: MR.S.SATYAM REDDY

Counsel for the Respondent No.1:MR.V.RAVI KIRAN RAO

**Counsel for the Respondent Nos.2 and 3: GP FOR IRRIGATION & COMM
AREA DEV.**

The Court at the admission stage made the following:

ORDER:

This writ petition is filed by the petitioner praying for issuance of a writ of Mandamus declaring the action of the respondents in registering F.I.R.No.9/RCT/CD/2005 dated 30.03.2005 without there being any evidence as arbitrary and illegal and consequently sought for setting aside the same.

It is stated that the petitioner was allegedly caught in a trap case and submitted his explanation, which is not considered by the investigating authorities. Further, according to the petitioner, the facts clearly show that the allegations made are not at all connected with the real case of a trap. Therefore, he sought for setting aside the said FIR.

Heard both sides.

Prima facie, this Court cannot go into the allegations as to the merit or otherwise of the same at this stage. Therefore, the writ petition is dismissed. No costs. However, the first respondent is directed to complete the investigation expeditiously and file a final report before appropriate authority.

10.06.2005

Note: Issue CC in one week.

(b/o)

VGB

To

1. The Director General, Anti Corruption Bureau, A.P. Hyderabad.
2. The Engineer-in-Chief (Admn.), Irrigation & CAD department, Erramanzil, Hyderabad.
3. The Secretary, Govt. of A.P., Irrigation Department, A.P.

Secretariat, Hyderabad.

4 2CCs to the Government Pleader for Irrigation and Command Area

Development, High Court Buildings, Hyderabad (OUT).

5 2CD copies.